

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MARGARET WATSON, KENMAR BUTLER, and  
RUBENZ DEUS,

Plaintiffs,

- against -

**STIPULATION AND ORDER  
OF SETTLEMENT OF  
ATTORNEYS FEES**

07 CV 1917 (ARR)(RER)

THE CITY OF NEW YORK, and SERGEANT ROBERT  
HENDERSON, SERGEANT AVIS WASHINGTON,  
POLICE OFFICER ADAM WRIGHT, POLICE OFFICER  
JEROME TEAHAN, POLICE OFFICER GARRETT  
GORHAM, POLICE OFFICER GERBER FERNANDEZ,  
POLICE OFFICER MOHAMMED HABIB, and  
"JOHN/JANE DOES #1-10" believed to be members of  
the NEW YORK CITY POLICE DEPARTMENT,  
Defendants.

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**WHEREAS**, plaintiffs Margaret Watson, Kenmar Butler, and Rubenz Deus  
commenced this action on or about May 9, 2007, alleging that Defendants the City of New York  
and New York City Police Sergeants Robert Henderson and Avis Washington, New York City  
Police Officers Adam Wright, Jerome Teahan, Garrett Gorham, Gerber Fernandez and  
Mohammed Habib violated plaintiffs' federal civil and state common law rights, causing him,  
*inter alia*, loss of liberty and physical sickness, pain and suffering; and

**WHEREAS**, pursuant to two Judgments filed on August 12, 2008 and by  
Stipulation and Order filed December 30, 2008, all issues, aside from attorney fees and costs,  
asserted in this lawsuit maintained by plaintiffs were settled and resolved; and

**WHEREAS**, Plaintiffs have asserted a claim for attorney fees and expenses accrued by their attorneys, Reibman & Weiner, in representing plaintiffs and defendants have denied any and all liability arising out of Plaintiffs' claim for fees and expenses; and

**WHEREAS**, the parties now desire to resolve the issues raised by the Plaintiffs' claim for fees, without further proceedings and without admitting any fault or liability; and

**WHEREAS**, Plaintiffs have agreed to settle this matter on the terms set forth below;

**WHEREAS**, Plaintiffs have authorized their counsel to settle this matter on the terms set forth below.

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, as follows:

1. Plaintiffs' claim for fees and expenses in this action is hereby dismissed with prejudice except as provided for below.
2. The City of New York hereby agrees to pay Reibman & Weiner the sum of **Seventy Three Thousand Five Hundred Dollars (\$73,500.00)** in full satisfaction of all claims for attorneys' fees, expenses, and costs, up to the date of the execution of this Stipulation. In consideration for the payment of this total sum, Plaintiffs agree to the dismissal of all claims for fees, expenses and costs against the City of New York and New York City Police Sergeants Robert Henderson and Avis Washington, New York City Police Officers Adam Wright, Jerome Teahan, Garrett Gorham, Gerber Fernandez and Mohammed Habib, and to release all defendants and any present or former employees or agents of the City of New York from any

and all liability, claims, or rights of action that have or could have been alleged by Plaintiffs for any attorneys' fees, expenses, and costs in this action arising out of the events alleged in the complaint in this action.


3. Plaintiff Watson shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including, without limitation, a General Release based on the terms of paragraph "2" above.
4. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation and settlement shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.
5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.
6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto regarding fees, costs and expenses, and no oral agreement entered into at any time nor any written agreement concerning fees, costs and expenses entered into prior to the execution of this

Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York  
February \_\_\_\_\_ 2009

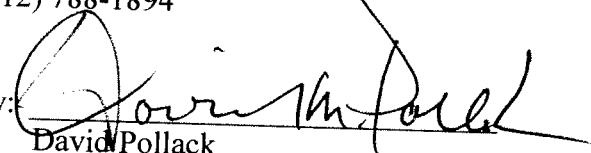
REIBMAN & WEINER  
Counsel to Plaintiffs Margaret Watson,  
Kenmar Butler and Rubenz Deus  
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Brooklyn, N.Y. 11242  
(718) 522-1743

By:

  
Michael Lumer, Esq. (m-1947)

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Attorney for Defendants the City Of New York  
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Henderson and Avis Washington, New York  
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(212) 788-1894

By:

  
David Pollack  
Assistant Corporation Counsel

**SO ORDERED:**

\_\_\_\_\_  
Honorable Allyne R. Ross  
United States District Judge